

HAVANT BOROUGH COUNCIL

Town & Country Planning Act 1990

Consultation on Planning Application

MEMORANDUM

From:	Environmental Health	To:	Development Control
Our Ref:	CONS/15/00702	Your Ref:	APP/15/00484
EH Case Officer Extn:	44 6677	Date:	15 June 2015
DC Case Officer:	Sally Smith		
DC Case Officer Extn:	44 6522		
Application Number:	APP/15/00484		
Site Address:	2B Langstone Road, Havant, PO9 1SA		
Proposed Development:	Change of use from store to gym facility.		

Observations / Comments:

I have reviewed the submitted documentation, and I have some concerns. The Planning statement refers to the prior use of the building pre-2007 as being "low grade storage", which is not further defined. It is considered that this could represent the storage of low value / high bulk / stable material, or to the storage of potentially noxious/hazardous materials or waste in an area of the site that is not heavily populated.

The floor plan scan (Appendix 2) is of very poor quality, and plan annotation is unreadable. Several potentially relevant features are shown adjacent to building 41, inclusive of a possible tanks structure within the proposed changing room area. No detailed information is provided which could be used to inform a defensible conclusion on the likely degree of risk that the current building poses to the environment, or to customers of the proposed gym.

Building 41 itself is located adjacent to at least 3 no. substantial former above-ground storage tanks - of unknown use, but unlikely to be connected with fire damping systems given the proximity of the large buffer tank located just 10m north of Building 41. A substantial fuel storage facility is located within 25m of the property, and it is not unlikely that this feature is up-hydraulic gradient of the subject site. It appears from the statement that there is an off-grid / private electrical supply - likely diesel generators given the scale of fuel storage, likely relatively close to the fuel supply. This is a further potential source of contamination in the vicinity.

Diesel fuels are not considered to be a particularly high risk to the commercial context of proposals for building 41 as diesel has a relatively low proportion of harmful, vapour forming hydrocarbons (e.g. volatile aliphatic's), however any severe / gross contamination could potentially be significant within the context of the current proposals, especially with respect to potable water supply infrastructure.

As outlined above, it is considered that the former use of the building can be reasonably regarded as 'potentially contaminating', that liquid industrial product storage & handling is undertaken, or has previously been undertaken immediately adjacent to the subject building, and a substantial fuel storage facility exists within a short distance of Building 41.

The planning statement refers to a 'full report' on land contamination issued by Envirochem, which shows that the site is free from contamination. Whilst I agree that the sample result presented does not identify any significantly elevated results, 4 pages of results are missing from the report, and it is entirely unclear what has been sampled (other than an aqueous medium), and for what purpose.

Envirochem are an analytical service, and would not provide expert opinion on the interpretation of results. The samples taken were for waste acceptable criteria only, and are not intended for land contamination assessment.

Insufficient information has been submitted to support the conclusion that the site is free from contamination.

Whilst a commercial gym operation is regarded as being a landuse of relatively low-sensitivity, risks to site visitors from contamination are not 'disregardable'. Gyms do operate on a membership basis, with regular non-employment attendance & physical exposure risk factors (in terms of activity, elevated respiratory air volume etc.), and it is considered that this should be afforded a full consideration. I expect that at a minimum, an environmental desk study & site walkover report (sometimes referred to as an environmental audit) should either accompany the application, or be required by condition.

It is clear that there has been some consideration of contamination risks, and I would first request that the applicant submit all existing information.

It is possible that there could be economic viability issues if contamination considerations are dealt with by condition - my understanding is that the Council should not be consenting development with conditions that could (or do) make the development unviable. Clearly I have no qualified basis upon which to assess whether the economic viability of a development is likely to be borderline, or enjoy a significant margin of flexibility. It is clear however that under a worst case scenario, the degree of contamination could be disproportionate to the scale of development.

It may be worthwhile to discuss this prior to finalising the planning report if the information currently held by the applicant is either not forthcoming, or is insufficient to adequately address the environmental concerns.

If further environmental information is not readily available, I would be minded to seek a full site investigation (& if necessary, remediation) as a condition of consent. In the event that there is concern over viability, I would be minded to recommend refusal.

A handwritten signature in blue ink, appearing to read 'Jonathan Driver', with a horizontal line underneath.

Mr. Jonathan Driver
Environmental Control Officer